

TERRE HAUTE

A LEVEL ABOVE

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 10

COMMON ADDRESS OF LOTS TO BE REZONED:

2509 S. 1st Street, Terre Haute, IN 47802

Current Zoning: R-1 Single Family

Requested Zoning: C-2 Community Commerce District

Proposed Use: Recreation Establishment

Name of Owner: Rick Lasure d/b/a Rick Lasure Development

Address of Owner: PO Box 10602, Terre Haute, IN 47801

Phone Number of Owner: 812-208-5530

Attorney Representing Owner: Rhonda D. Oldham

Address of Attorney: 191 Harding Av., Terre Haute, IN 47807

Phone Number of Attorney: 812-238-2421

For Information Contact: Rhonda D. Oldham

Council Sponsor: Rich Dunkin

***COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION**

FILED

APR 11 2011

CITY CLERK

SPECIAL ORDINANCE NO. 10 2011

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled "An Ordinance Adopting And Enacting A Code Of Ordinances For The City Of Terre Haute, Indiana; Establishing The Same; Providing For the Repeal Of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such code Of Ordinances; Providing A Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations".

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

SECTION I. That Chapter 10, of the Terre Haute City Code, known and referred to as "The Comprehensive Zoning Ordinance for Terre Haute" of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-12 1, thereof, District Maps, is hereby amended to read as follows:

Lots 17, 18, 19 and 20 in Krumbhaar Place Land Company's First Subdivision, being a Subdivision of Lots 1, 2, 5, 6, 9, 10, 13, 14, 17, 18 and 21 Krumbhaar Place a Subdivision of part of the Southwest Quarter of Section 33, Township 12 North of Range 9 West.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

Parcel #84-06-33-331-005.000-002

Commonly known as: 2509 S. 1st Street, Terre Haute, Indiana 47802

be and the same is, hereby established a C-2 Community Commerce District together with all rights and privileges that may inure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

SECTION II. WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of the City of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member, _____
Rich Dunkin, Councilperson

Passed in open Council this ____ day of _____, 2011.

John Mullican, President

ATTEST:

Charles P. Hanley, City Clerk

Presented to me the Mayor of the City of Terre Haute, this ____ day of _____, 2011.

Charles P. Hanley, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this ____ day of _____, 2011.

Duke A. Bennett, Mayor


ATTEST:

Charles P. Hanley, City Clerk

This instrument prepared by:

Rhonda D. Oldham, BRAMES & OLDHAM, 191 Harding Av., Terre Haute, IN 47807

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.


Rhonda D. Oldham

PETITION TO REZONE REAL PROPERTY #10

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA:

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY, INDIANA:

LADIES AND GENTLEMAN:

The undersigned, Rick Lasure, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lots 17, 18, 19 and 20 in Krumbhaar Place Land Company's First Subdivision, being a Subdivision of Lots 1, 2, 5, 6, 9, 10, 13, 14, 17, 18 and 21 Krumbhaar Place a Subdivision of part of the Southwest Quarter of Section 33, Township 12 North of Range 9 West.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

Parcel #84-06-33-331-005.000-002

Commonly known as: 2509 S. 1st Street, Terre Haute, Indiana 47802

Your petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as R-1 Single Family.

Your petitioner would respectfully state that the real estate is now R1 Single Family. Your petitioner intends to use the real estate as recreation establishment.

Your petitioner would request that the real estate described herein shall be zoned as a C-2 Community Commerce District. Your petitioner would allege that such use would not alter the general characteristics of this neighborhood.

Your petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the C-2 Community Commerce District of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, This petition has been duly executed this 7 day of April, 2011.

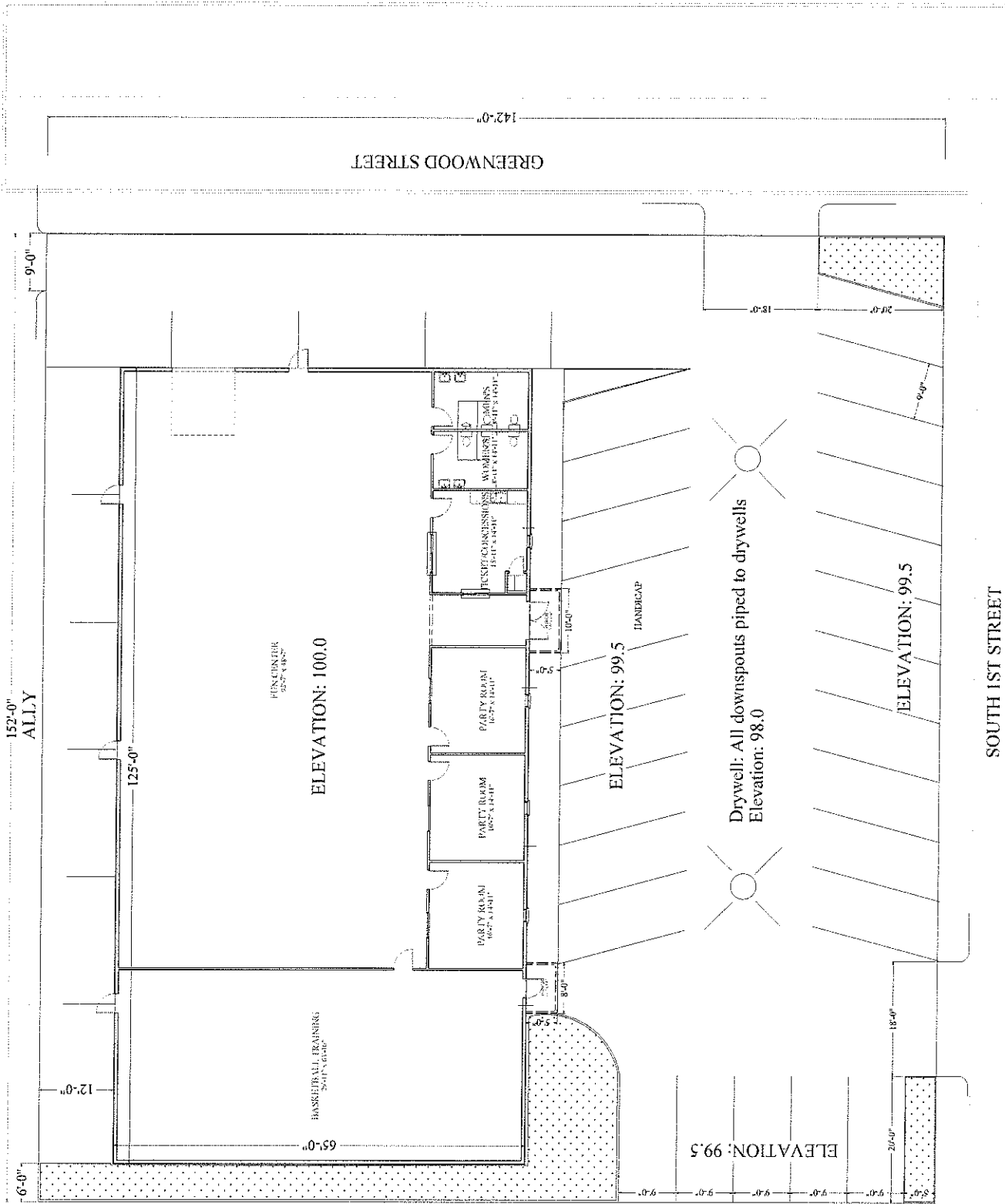
BY: 

Rick Lasure

PETITIONER: Rick Lasure d/b/a Rick Lasure Development PO Box 10602, Terre Haute, IN 47801

This instrument was prepared by:

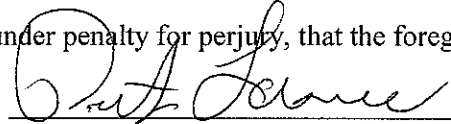
Rhonda D. Oldham, BRAMES & OLDHAM, 191 Harding Av., Terre Haute, IN 47807



AFFIDAVIT OF:

COMES NOW affiant, Rick Lasure and affirms under penalty of law that affiant is the owner of record of the property located at 2509 S. 1st St. , Terre Haute, IN 47802 for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.


I affirm under penalty for perjury, that the foregoing representations are true.


Rick Lasure

STATE OF INDIANA)
) SS:
(COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for said County and State, Rick Lasure who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 7 day of April, 2011.

Notary Public:

Rhonda Oldham

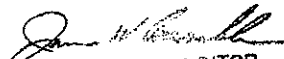
My Commission Expires: 3/29/16

My County Of Residence: Vigo

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

2008007559 WD \$18.
05/27/2008 12:46:08P 2 PGS
RAYMOND L. WATTS
VIGO County Recorder IN
Recorded as Presented

MAY 27 2008


VIGO COUNTY AUDITOR

WARRANTY DEED

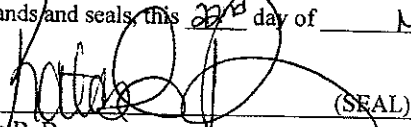
THIS INDENTURE WITNESSETH, THAT Katasha B. Donovan and Kris Donovan, of Tipton County, State of Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONVEY AND WARRANT unto Rick Lasure Development, of Vigo County, State of Indiana, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

✓ Lots 17, 18, 19 and 20 in Krumbhaar Place Land Company's First Subdivision, being a Subdivision of Lots 1, 2, 5, 6, 9, 10, 13, 14, 17, 18 and 21 Krumbhaar Place a Subdivision of part of the Southwest Quarter of Section 33, Township 12 North of Range 9 West.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

Subject to taxes prorated to the date hereof.

IN WITNESS WHEREOF the above referred to Katasha B. Donovan and Kris Donovan have hereunto set their hands and seals, this 22nd day of May, 2008.


Katasha B. Donovan (SEAL)


Kris Donovan (SEAL)

STATE OF Indiana, Vigo COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 22 day of May, 2008, personally appeared Katasha B. Donovan and acknowledged the execution of the annexed Deed to be her voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires:

July 22, 2010
My County of residence is:
Vigo


Notary Public

CYNTHIA Z. COX
Typewritten or printed name of notary

STATE OF Indiana, Vigo COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 22 day of May, 2008, personally appeared Kris Donovan and acknowledged the execution of the annexed Deed to be his voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires:

July 22, 2012
My County of residence is:
Vigo

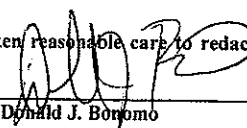

Notary Public

CYNTHIA Z. COX
Typewritten or printed name of notary

HENDRICH

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I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.


Donald J. Bonomo

THIS INSTRUMENT WAS PREPARED BY: Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807. The deed was prepared at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance concerning the property to be conveyed and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument.

GRANTEE'S ADDRESS: 3850. N State Road 63, West Terre Haute, IN 47885

MAIL TAX STATEMENTS TO: PO Box 10602 Terre Haute, IN 47801

\\Lawfirm\vol1\USER\WilliamsD\Real Estate\HENDRICH\Deeds\Rick Lasure Development 5/12/2008 dgw